



AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance 6237		Date: April 16, 2009
Department: Public Works	Attachments: Ordinance No. 6237	Budget Impact: \$ 0
Administrative Recommendation: City Council introduce and adopt Ordinance No. 6237.		
Background Summary: <p>Auburn City Code does not allow vehicle parking in unimproved portions of the right of way such as planting strips in the right of way. This restriction effectively eliminates all on street parking within some residential neighborhoods creating a hardship for residents.</p> <p>While investigating options to provide a permanent solution to this parking issue the City passed Ordinance 6211 temporarily allowed parking on planting strips wider than 8 feet in residential zones. Section 6 of Ordinance 6211 states that unless otherwise modified parking in planting strips would no longer be allowed effective April 30, 2009.</p> <p>The City desires to continue to allow parking on planting strips wider than 8 feet in residential zones as it continues to gather public comment and consider more permanent solutions. Ordinance 6237 modifies City Code to allow parking in planting strips wider than 8 feet for an additional 120 days from April 30, 2009.</p> <p>W0420-7 O1.2</p>		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Call for Public Hearing ___/___/___ Referred to _____ Until ___/___/___ Tabled _____ Until ___/___/___		
Councilmember: Wagner		Staff: Dowdy
Meeting Date: April 20, 2009		Item Number:

ORDINANCE NO. 6237

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
SECTION 6 OF ORDINANCE NO. 6211 ADOPTED
ON NOVEMBER 17, 2008, RELATING TO PARKING
IN RESIDENTIAL ZONES**

WHEREAS, in certain residential neighborhoods of the City, the public rights-of-way are wide enough to allow for both two-way traffic and for vehicle parking within the right-of-way, but the paved streets within those rights-of-way are only wide enough to accommodate two-way vehicle traffic; and

WHEREAS, the Auburn City Code does not allow vehicle parking on unimproved portions of the right-of-way; and

WHEREAS, the City Council enacted Ordinance 6211 on November 17, 2008, to allow limited parking on planting strips in residential zones, but included in that Ordinance an automatic sunset clause that would remove that permission after April 30, 2009; and

WHEREAS, the City is continuing to investigate the options to provide a permanent solution to this parking problem; and

WHEREAS, the City Council wishes to continue to provide relief to the residents of the affected neighborhoods while the City continues to investigate a permanent solution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Ordinance 6211. That Section 6 of

Ordinance 6211 adopted on November 17, 2008, is hereby amended to read as follows:

That effective on ~~April 30~~August 31, 2009, unless otherwise modified by Ordinance, Section 10.36.270 of the Auburn City Code be and the same hereby is amended to read as follows:

10.36.270 Prohibited parking places.

- A. It is unlawful for the operator of a vehicle to stop, stand, park or angle park such vehicle in or on any of the following places except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a police officer or traffic-control sign or signal:
1. Within an intersection area;
 2. Within 20 feet of an uncontrolled intersection;
 3. Within 30 feet of an intersection controlled by a stop sign, yield sign, or traffic-control signal;
 4. On a crosswalk or within 20 feet of a crosswalk, whether marked or unmarked;
 5. In front of or within 50 feet of the driveway entrance to any fire or police station or within any marked area contiguous to such driveway, when properly signed;
 6. In front of or within a fire or emergency service access or an area signed for other safety access purposes;
 7. In front of or within 15 feet of a fire hydrant;
 8. Within any space marked as a fire lane;
 9. In front of a public or private driveway, or within five feet of the end of the curb radius leading thereto;
 10. On a sidewalk, pedestrian path, or planting strip;
 11. Alongside or opposite any street excavation or obstruction when such stopping, parking or angle parking would obstruct traffic;
 12. In any alley, except that trucks or delivery vehicles may park or angle park in alleys for such time, not in excess of 30 minutes, as may be necessary for the expeditious loading or unloading of such vehicles or the delivery or pickup of articles or materials, unless otherwise restricted by this chapter;
 13. Upon any bridge, overpass, underpass, trestle, or approaches thereto;

14. On that portion of any street contiguous to and opposite any outside court, corridor, passage, fire escape, exit or entrance door or any other place adjacent to, or any door opening in any outer wall of any building containing, in whole or in part, any theater, public auditorium, church, dance hall or other place of public assembly through which the public must pass to leave such building, while such building is being utilized for public gatherings; and it shall be incumbent upon and the duty of the owner or agent of the property used for the purpose herein specified to designate such prohibited areas by the placement of stanchions or signs or curb markings of the form and type satisfactory to the city engineer;
 15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 16. At any place where official traffic signs have been erected at the direction of the city engineer prohibiting parking and/or angle parking, either at all times or at such times as are indicated upon signage giving notice thereof;
 17. Outside of the limits of the individual parking spaces (stalls) designated for vehicular on-street parking;
 18. Within 30 feet of the nearest rail of a railroad crossing;
 19. At any place where all official signs prohibit stopping;
 20. Within traffic lanes that are less than 18 feet wide on arterial and collector roadways, as designated in the comprehensive transportation plan, except when authorized by sign;
 21. Within median lanes in the traveled way;
 22. Within roadway shoulders that are less than eight feet wide;
 23. Within marked bicycle lanes;
 24. Upon any street or public way for the principal purposes of displaying the vehicles for sale or for advertising services for vehicles; or
 25. Upon any street or public way for the purpose of doing any work on, maintaining or repairing any vehicle except for repairs necessitated by an emergency.
 26. Within any street side drainage ditch or drainage swale;
 27. Where prohibited by signage.
- B. No person shall move a vehicle not owned by him into any such prohibited area or away from a curb such distance as is unlawful.

- C. If any person wishes a different parking restriction sign placement or a different time parameter for any parking restrictions under this section, said person may forward such request to the city engineer, the mayor, the city council public works committee, or the full city council; provided, that the opportunity to request such change does not create a right to such change, and the ultimate decision on such request shall be with the city engineer, then the mayor, then the city council public works committee, and then the full city council. (Ord. 6129 § 4, 2007; Ord. 6082 § 1, 2007; Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.140.)

Section 2. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Steven L. Gross, Assistant City Attorney

Published: _____